

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ANNABELLE GURWITCH, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

SAVE ON SP, LLC, EXPRESS SCRIPTS,
INC., and ACCREDO HEALTH GROUP
INC.,

Defendants.

Case No. 1:25-CV-00006-LJV

**DECLARATION OF ANDREW R. DUNLAP IN SUPPORT OF DEFENDANT
SAVE ON SP, LLC'S MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT**

ANDREW R. DUNLAP, an attorney duly admitted to practice law before this Court,
declares the following under penalty of perjury and pursuant to 28 U.S.C. § 1746:

1. I am a member of the law firm of Selendy Gay PLLC, counsel for Save On SP, LLC (“SaveOn”). I make this declaration based on my own personal knowledge, in support of SaveOn’s Motion to Dismiss Plaintiff’s Amended Complaint.
2. Attached hereto as Exhibit 1 is the November 30, 2020 Summary of Material Modifications (“SMM”) to plan benefits from the Writers’ Guild-Industry Health Fund, which is a true and correct copy of the document provided at: https://www.wgaplans.org/info/health/documents/SMM/PWGA_Health_SMM_20201130.pdf (last accessed March 14, 2025).
3. Attached hereto as Exhibit 2 is the Health Fund Summary Plan Description, effective March 31, 2024, for the Writers’ Guild-Industry Health Fund. This document is a true and correct copy of the document provided at: <https://www.wgaplans.org/healthspd/> (last accessed March 14, 2025).

4. Attached hereto as Exhibit 3 (subject to SaveOn's Motion to Seal, filed concurrently) is a true and correct copy of the August 19, 2016 Agreement between Express Scripts, Inc. and SaveOn.

5. Attached hereto as Exhibit 4 (subject to SaveOn's Motion to Seal, filed concurrently) is a true and correct copy of the November 13, 2017 Master Program Agreement between Express Scripts, Inc. and SaveOn.

6. Attached hereto as Exhibit 5 (subject to SaveOn's Motion to Seal, filed concurrently) is the February 1, 2021 Service Agreement between the Writers-Guild Industry Health Fund and SaveOn.

Dated: New York, New York
March 14, 2025

/s/ Andrew R. Dunlap

Andrew R. Dunlap